

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No. : 10/654,761
Filed : September 4, 2003
Applicant : Dennis Ausiello, et al.
Title : Delivery of Parathyroid Hormone

TC/AU : 3767
Examiner : Elizabeth MacNeill

Docket No. : 17509-0065 (MCP 111)
Customer No. : 29052

TERMINAL DISCLAIMER

The owner, MicroCHIPS, Inc., of the entire interest in the above-identified present application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the present application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156, as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second **Application No. 11/259,301, filed on October 26, 2005** (hereinafter “the second application”).

The Commissioner is hereby authorized to charge the small entity fee of \$70.00 required by 37 C.F.R. § 1.20(d) for this disclaimer to Deposit Account 19-5029.

The owner hereby agrees that any patent so granted on the present application shall be enforceable only for and during such period that said patent and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the present application and is binding upon the grantee of such patent, and its successors or assigns.

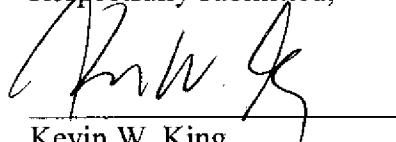
In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the present application that would extend to the expiration date of the full

U.S.S.N. 10/654,761
Filed: September 4, 2003
TERMINAL DISCLAIMER

statutory term as defined in 35 U.S.C. §§ 154 to 156 of any patent granted on the second application, as presently shortened by any terminal disclaimer, in the event that any such granted patent on the second application: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer filed prior to its grant.

The undersigned is an attorney of record and is authorized to sign on behalf of the owner.

Respectfully submitted,



Kevin W. King
Reg. No. 42,737

Date: October 9, 2008

SUTHERLAND ASBILL & BRENNAN LLP
999 Peachtree Street, NE
Atlanta, Georgia 30309-3996
(404) 853-8068
(404) 853-8806 (fax)